

REMARKS

This is a full and timely response to the outstanding communication mailed August 30, 2005. The Examiner has required Applicants to elect to prosecute one of three groups of claims identified in the Office Action. In response to the Restriction Requirement filed June 16, 2005, Applicants respectfully elected to prosecute the claims of Group I, corresponding to claims 1-34, without traverse.

The Office Action alleged that the response to the Restriction Requirement failed to respond to species election requirements that were stated in paragraphs 4-7 of the previous Office Action (Paper No./Mail Date 20050601). In this regard, Applicants are required to elect one of the following disclosed species for prosecution on the merits: A) "The embodiment wherein the tubes are arranged in series only, as set forth in paragraph (0025)" and B) "The embodiment wherein the tubes are alternately arranged to form a developed cell only, as set forth in paragraph (0025)." Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of the elected claims in the present Application. Applicants respectfully assert that claims 8-14 and 18-22 are generic to either A or B; however, in order to facilitate the early allowance and issuance of the elected claims, Applicants elect B for the elected claims.

Applicants are required to elect one of the following disclosed species for prosecution on the merits: AA) "The embodiment wherein the tubes are mounted with first rods only [, see] for example paragraph (0025) of the specification"; BB) "The embodiment wherein the tubes are mounted with second rods only [, see] for example paragraph (0025) of the specification"; and CC) "The embodiment wherein the tubes are mounted with both first and second rods only [, see] for example paragraph (0025) of the specification." Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of the elected claims in the present Application. Applicants respectfully assert that claims 1, 6, and 7 are generic to AA, BB, or CC; and in addition, the remaining claims include AA or CC. None of the claims includes the feature of BB. However, in order to facilitate the early allowance and issuance of the elected claims, Applicants elect CC for the elected claims.


Applicants are required to elect one of the following disclosed species for prosecution on the merits: AAA) "The embodiment wherein the attachment means consists of rods and recesses only [, see] for example paragraph (0025) of the specification" and BBB) "The embodiment

wherein the attachment means consists of rods, recesses and pins only [, see] for example paragraph (0025) of the specification.” Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of the elected claims in the present Application. Applicants respectfully assert that claims 1 and 6-10 are generic to AAA or BBB; and in addition, the remaining claims include AAA or BBB. However, in order to facilitate the early allowance and issuance of the elected claims, Applicants elect BBB for the elected claims.

Applicants are required to elect one of the following disclosed species for prosecution on the merits: AAAA) “The embodiment wherein the shape of the rods is round only”; BBBB) “The embodiment wherein the shape of the rods is triangular only”; CCCC) “The embodiment wherein the shape of the rods is hexagon only”; and DDDD) “The embodiment wherein the shape of the rods is octagon only.” Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of the elected claims in the present Application. Applicants respectfully assert that the elected claims are generic to AAAA-DDDD. However, in order to facilitate the early allowance and issuance of the elected claims, Applicants elect AAAA for the elected claims.

Should the Examiner have any questions regarding this response, the Examiner is invited to telephone the undersigned attorney at (770) 933-9500.

Respectfully submitted,


Scott A. Horstemeyer, Reg. No. 34,183

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500